


<b>Application Number</b> 	<b>Application No.</b> 10/712,349	<b>Applicant(s)</b> YAGI ET AL.	

<b>TERMINAL DISCLAIMER</b>	<input type="checkbox"/> <b>APPROVED</b>	<input checked="" type="checkbox"/> <b>DISAPPROVED</b>
Document Code - DISQ	This patent is subject to a Terminal Disclaimer	
INTERNAL DOCUMENT - DO NOT MAIL		

U.S. Patent and Trademark Office



THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Tomotaka YAGI et al.

Serial No. 10/712,349

Filed November 14, 2003

: Confirmation No. 1173

: Docket No. 2003\_1642

: Group Art Unit 2616

: Examiner Huy Thanh Nguyen

OPTICAL DISC, OPTICAL DISC RECORDING  
APPARATUS, AND OPTICAL DISC  
RECORDING METHOD FOR FACILITATING  
DUBBING, STORAGE MEDIUM FOR  
STORING OPTICAL DISC RECORDING  
PROGRAM FOR FACILITATING DUBBING,  
OPTICAL DISC REPRODUCING APPARATUS,  
AND OPTICAL DISC REPRODUCING METHOD

THE COMMISSIONER IS AUTHORIZED  
TO CHARGE ANY DEFICIENCY IN THE  
FEES FOR THIS PAPER TO DEPOSIT  
ACCOUNT NO. 23-0975

**SUBMISSION OF REPLACEMENT TERMINAL DISCLAIMER**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Enclosed herewith is a replacement Terminal Disclaimer to be substituted for the Terminal Disclaimer originally filed on November 30, 2004 which inadvertently listed the wrong application number. The enclosed Terminal Disclaimer correctly lists the application number thereon. As indicated in M.P.E.P. section 1490, it is respectfully requested that the terminal disclaimer fee paid on November 30, 2004 be applied to this replacement Terminal Disclaimer.

Respectfully submitted,

Tomotaka YAGI et al.

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April 4, 2005



UNITED STATES PATENT AND TRADEMARK OFFICE

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RECORDING APPARATUS, AND OPTICAL  
DISC RECORDING METHOD FOR  
FACILITATING DUBBING, STORAGE  
MEDIUM FOR STORING OPTICAL DISC  
RECORDING PROGRAM FOR FACILITATING  
DUBBING, OPTICAL DISC REPRODUCING  
APPARATUS, AND OPTICAL DISC  
REPRODUCING METHOD

**TERMINAL DISCLAIMER UNDER 37 C.F.R. 1.321**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The owner, Matsushita Electric Industrial Co., Ltd., of 100% interest in the instant application, hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of U.S. patent numbers 6,282,363, 6,393,206, 6,404,980, 6,678,466, and 6,456,780. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and U.S. patent numbers 6,282,363, 6,393,206, 6,404,980, 6,678,466, and 6,456,780 are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term

as defined in 35 U.S.C. ' 154 to 156 and 173 of U.S. patent numbers 6,282,363, 6,393,206, 6,404,980, 6,678,466, and 6,456,780, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee; is held unenforceable; is found invalid by a court of competent jurisdiction; is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321; has all claims cancelled by a reexamination certificate; is reissued; or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

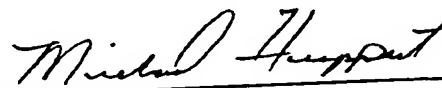
In accordance with 37 CFR 3.73(b), the evidentiary materials have been reviewed and it is certified that, to the best of the Petitioner's knowledge and belief, title is in the Petitioner seeking to take action.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

The undersigned representative verifies that he/she is authorized to take this action on behalf of the Petitioner.

Respectfully submitted,

Tomotaka YAGI et al.

By:   
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April 4, 2005

## T.D. INFORMAL MEMO: DO NOT MAIL THIS MEMO TO APPLICANT

DATE: 09-Jun-05

APPL. S.N.: 10/712,349

TO: EXAMINER NGUYEN, HUY THANH

ART UNIT: 2616

FROM: Jefferson, Henry  
PARALEGAL SPECIALIST

RETURN THIS MEMO TO:

Case Drop-Off Location

JEF-2D68

SUBJECT: Decision on Terminal Disclaimer (T.D.) filed:

04-Apr-05

INSTRUCTIONS: I have reviewed the submitted T.D. with the results as set forth below. If you agree, please use the appropriate form paragraphs identified by this informal memo in your next Office action to notify applicant of the T.D. If you disagree or have any questions, please see me or the Special Program Examiner. THIS IS AN INFORMAL, INTERNAL MEMO ONLY. IT MUST NOT BE (1) MAILED TO APPLICANT OR (2) PLACED OF RECORD IN THE APPLICATION FILE. When your action is complete, please initial, date and return this memo to me. THANK YOU.

- ☐ The T.D. is PROPER and has been recorded (see ¶ 14.23).
- ☒ The T.D. is NOT PROPER and has not been accepted for the reason(s) checked below (see ¶ 14.24):
- ☐ The TD fee of  has not been submitted nor is there any authorization in the application file for the use of a deposit account (see ¶ 14.26.07).
- ☐ The T.D. does not satisfy Rule 321 in that the person who has signed the T.D. has not stated the extent of his/her interest (and/or the extent of the interest of the business entity represented by the signature) in the application/patent (see ¶ ¶ 14.26 & 14.26.01).
- ☐ The T.D. lacks the enforceable only during common ownership clause – needed to overcome a non-statutory double patenting rejection, Rule 321(b) (see ¶ 14.27.01).
- ☐ The T.D. is directed to a particular claim(s), which is not acceptable since “the disclaimer must be for a terminal portion of the term of the entire patent to be granted” (MPEP 1490) (see ¶ ¶ 14.26 & 14.26.02).
- ☒ The person who signed the T.D.:  
☒ is not an attorney “of record” (see ¶ ¶ 14.29 and 14.29.01).  
☐ has failed to state his/her capacity to sign for the business entity (see ¶ 14.28).  
☐ is not recognized as an officer of the assignee (see ¶ ¶ 14.29 & possible 14.29.02).
- ☐ No documentary evidence of a chain of title from the original inventor(s) to assignee has been submitted, nor is the reel and frame number specified as to where such evidence is recorded in the Office (see 37 CFR 3.73(b) and 1140 O.G. 72). NOTE: This documentary evidence or the specifying of the reel and frame number may be found in the T.D. or in a separate paper of record in the application (see ¶ 14.30).
- ☐ The T.D. is not signed (see ¶ ¶ 14.26 & 14.26.03).
- ☐ The serial number of the application (or the number of the patent) which forms the basis for the double patenting rejection is missing or incorrect (see ¶ 14.32).
- ☐ The serial number of this application (or the number of the patent in reexam or reissue cases being disclaimed is missing or incorrect (see ¶ ¶ 14.26, 14.27.02 or 14.26.05).
- ☐ The period disclaimed is incorrect or not specified (see ¶ ¶ 14.26, 14.27.02 or 14.26.03).
- ☐ Other:
- ☐ Suggestion to request refund (see ¶ 14.36). NOTE: If already authorized, credit refund to deposit account and do not check this item.

I have appropriately notified applicant(s) of the status of the Terminal Disclaimer filed in this case.

Log Date:

Ex. Initials: \_\_\_\_\_

Date: \_\_\_\_\_

Special Program Database, Version 2.1

(Rev. 5/98)

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